

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

In re:	:	
Dwight J Long	:	CHAPTER 13
	:	CASE NO. 16-32601
	:	JUDGE Humphrey
Debtor(s)	:	

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**MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION AND NOTICE**

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The Debtor(s) hereby move the Court for an Order to modify the Chapter 13 Plan. Support for the motion is set forth in the following memorandum.

**MEMORANDUM IN SUPPORT**

A plan has been confirmed.

Date petition filed: August 17, 2016

Date of last modification: na

Date plan confirmed: January 9, 2017

Date last modification confirmed: na

Monthly Plan Payments: Current: \$1470 for 12 months,  
\$1500 for 12 months, then \$1650 for the remainder

Proposed: \$1470 for 6 months,  
\$1500 for 12 months, then \$1675 for  
the remainder of the plan

If the plan changes the monthly payments, amended Schedules I and J are attached.

Percent to Unsecured Creditors: Current: 28%

Proposed: 3%

Length of Plan (months): Current: 60

Proposed: 60

(Above median income case must be a 60 month plan unless plan is repaying 100% to the general unsecured creditors.)

**The effective date is the date of the entry of the Order.** For calculation purpose, the Trustee will use the motion filed date.

Reason for the modification, including any changes in circumstances since last plan:

Debtor is requesting this modification because the plan will not timely complete within the maximum of sixty (60) months due to higher claims being filed.

Debtor(s)' attorney will make separate application for additional attorney fees as provided by LBR 2016-1, if applicable.

/s/ Thomas M. Fesenmyer (0073901)

Attorney for Debtor(s)

/s/ Dwight J Long

Debtor

**MODIFICATION OF CHAPTER 13 PLAN**

Page 1 of 1

Debtor (last name) Long

Case no. 16-32601

[List only creditors affected by modification]

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Creditor name:

Type of Claim: ( ) secured ( ) unsecured ( ) 507 priority ( ) other

Nature of Claim:

Current Plan:

Proposed Plan:

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Creditor name:

Type of Claim: ( ) secured ( ) unsecured ( ) 507 priority ( ) other

Nature of Claim:

Current Plan:

Proposed Plan:

---

Creditor name:

Type of Claim: ( ) secured ( ) unsecured ( ) 507 priority ( ) other

Nature of Claim:

Current Plan:

Proposed Plan:

---

Creditor name:

Type of Claim: ( ) secured ( ) unsecured ( ) 507 priority ( ) other

Nature of Claim:

Current Plan:

Proposed Plan:

### **NOTICE OF MOTION FOR MODIFICATION**

Notice is hereby given that Debtor has filed the following papers with the Court: **MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION**

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion, then on or before twenty-one (21) days from the date set forth in the certificate of service for the motion, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to the Clerk of Courts, United States Bankruptcy Court, 120 WEST THIRD STREET, DAYTON, OH 45402 OR your attorney must file a response using the Court's ECF System. The court must receive your response on or before the above date. You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to

Office of the US Trustee  
170 N. High St., #200  
Columbus, OH 43215

Jeffrey M. Kellner  
131 N. Ludlow St., Suite 900  
Dayton, OH 45402

Dwight J Long  
901 Old Columbus Rd  
Springfield, OH 45503

Thomas M. Fesenmyer  
120 W. Second St., Ste. 1212  
Dayton, OH 45402

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION was served electronically on the date of filing through the Court's ECF System on all ECF participants registered in this case at the email address registered with the Court and by ordinary U.S. mail, postage prepaid, on March 14, 2017:

**Debtor:**

Dwight Long  
901 Old Columbus Rd  
Springfield, OH 45503

**Creditors:**

See attached mailing list

*/s/ Thomas M. Fesenmyer*

Thomas M. Fesenmyer (0073901)

Attorney for Debtor

120 W. Second St., Ste 1212

Dayton, OH 45402

(937) 222-7472

(614) 228-3882 *fax*

*e-mail:fesenmyer\_law@hotmail.com*

Label Matrix for local noticing  
0648-3  
Case 3:16-bk-32601  
Southern District of Ohio  
Dayton  
Tue Mar 14 13:19:16 EDT 2017

Asst US Trustee (Day)  
Office of the US Trustee  
170 North High Street  
Suite 200  
Columbus, OH 43215-2417

Cbe Group  
131 Tower Park Dri  
Waterloo, IA 50701-9374

John R Cummins  
Manley Deas Kochalski  
P.O. Box 165028  
Columbus, OH 43216-5028

Jennifer Fate  
Murray Murphy Moul + Basil LLP  
1114 Dublin Road  
Columbus, OH 43215-1039

Jeffrey M Kellner  
131 N Ludlow St  
Suite 900  
Dayton, OH 45402-1161

National Credit Adjusters, LLC  
Attn: Bankruptcy Department  
P.O. Box 3023  
Hutchinson, K.S 67504-3023

Portfolio Recovery Ass  
120 Corporate Blvd Ste 1  
Norfolk, VA 23502-4952

Rise  
4150 International  
Fort Worth, TX 76109-4892

US ATTORNEY  
602 FEDERAL BUILDING  
200 W SECOND STREET  
DAYTON, OH 45402-1443

Amanda Long  
880 Redman Rd.  
Springfield, OH 45505

Athena Cu  
1427 W First Stree  
Springfield, OH 45502

(p)CHOICE RECOVERY INC  
1550 OLD HENDERSON ROAD  
STE 100  
COLUMBUS OH 43220-3662

Dayton Childrens Med Ctr  
c/o NRS  
P.O. Box 8005  
Cleveland, TN 37320-8005

Thomas M Fesenmyer  
Fesenmyer Law Offices, LLC  
120 West Second Street, Suite 1212  
Dayton, OH 45402-1685

Dwight J Long  
901 Old Columbus Rd  
Springfield, OH 45503-5219

Nationwide Recovery Sv  
Po Box 8005  
Cleveland, TN 37320-8005

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Bradley C Smith  
Flanagan, Lieberman, Hoffman & Swaim  
15 West Fourth Street, Suite 100  
Dayton, OH 45402-1437

Verizon Wireless  
Po Box 49  
Lakeland, FL 33802-0049

American InfoSource LP as agent for  
Verizon  
PO Box 248838  
Oklahoma City OK 731248838

Cavalry Portfolio Serv  
Po Box 27288  
Tempe, AZ 85285-7288

Clark County CSEA  
1345 Lagonda Ave  
Springfield, OH 45503-4001

Dbas Paragon Revenue Gr  
Po Box 126  
Concord, NC 28026-0126

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Meade & Associates  
737 Enterprise Dr  
Westerville, OH 43081

Plaza Services  
110 Hammond Drive, Suite 110  
Atlanta, GA 30328-4806

Randolf Compton  
RC Appraisals  
1001 Valley Vista Way  
Centerville, OH 45429-6139

State of Ohio Department of Taxation  
Collections Enforcement  
150 E. Gay St., Ste 101  
Columbus, OH 43215-3190

Wells Fargo Bank, NA  
c/o Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus, OH 43216-5028

(p)WELLS FARGO BANK NA  
WELLS FARGO HOME MORTGAGE AMERICAS SERVICING  
ATTN BANKRUPTCY DEPT MAC X7801-014  
3476 STATEVIEW BLVD  
FORT MILL SC 29715-7203

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Choice Recovery	Portfolio Recovery Associates, LLC	Wells Fargo Hm Mortgag
1550 Old Henderson Rd St	POB 41067	8480 Stagecoach Cir
Columbus, OH 43220	Norfolk VA 23541	Frederick, MD 21701

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Ohio Department of Job & Family Services	(u)Ohio Department of Taxation	(u)Wells Fargo Bank, N.A.
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End of Label Matrix	
Mailable recipients	30
Bypassed recipients	3
Total	33